

APPROVED: Meeting No. 13-82

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 10-82

March 15, 1982

The Mayor and Council of Rockville, Maryland, convened in executive session in the Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, at 7:00 p.m. on March 15, 1982, to discuss personnel and litigation.

There being no further business to come before the Council in executive session, it was adjourned.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, at 8:00 p.m. on Monday, March 15, 1982.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams

Councilman Phyllis Fordham

Councilman John Freeland

Councilman John Tyner

The Mayor in the Chair.

In attendnace: City Manager Larry Blick; City Attorney Roger Titus; Assistant City Attorney Paul Glasgow; Assistant City Manager Daniel Hobbs; City Clerk Helen Heneghan; Information Officer Sue M. Patterson; Director of Recreation and Park Ronald Olson; Director of Planning James M. Davis.

Re: City Manager's Report

Mr. Blick reported the following:

1. There will be a delay in the opening of Metro of one year due to a problem obtaining the rail cars. It is now scheduled for service to Rockville in the Fall of 1984.

Re: Proclamation: Commending the
Congressional Roller Rink - 25th
Anniversary

Proclamation No. 1-82

There being no objection from the Council, Mayor Hanna proceeded to issue Proclamation No. 1-82 commending the Congressional Roller Rink on its 25th Anniversary. Councilman Tyner read the proclamation at the request of the Mayor which commended them on their 25 years of operation and enjoyment for the citizens of Rockville.

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Re: Appointments

Mayor Hanna made the following appointments. They were confirmed by the Council:

Recreation and Park Advisory Board: Kirk Lee - two-year term
1030 Carnation Drive

Alternative Community Service Commission - Michael Gordon - two-year reappointment
as an alternate

Human Rights Commission: Kenneth Ow - four-year term
7 Gruenther Court

Judith A. Yudkin - four-year term
1095 Larkspur Terrace

Sandy Schwartz - four-year term
211 Watts Branch Parkway

Richard Pyle - one-year Chairmanship term

Re: Award of Contract: Bid No. 37-82
Shrubs and Trees

Bids were opened in the Council Chamber, City Hall at 3:30 p.m. on February 17, 1982, for furnishing and planting 228 shrubs and trees on City property.

The bids were as follows:

Potomac Valley Nurseries, Gaithersburg, Maryland	\$20,879.48
Arbor Landscapers, Silver Spring, Maryland	26,080.00
Patrick J. Ellis, Poolesville, Maryland	26,931.26
Stoneybrook Landscape Company, Spencerville, Maryland	29,777.00
Aspen Landscape Contractors	30,511.80
Greenbrier Farms Landscape Co., Chesapeake, Virginia	30,555.00
Stock Brothers Nurseries, Rockville, Maryland	30,681.00
Davis Nurseries, Harrisburg, Pennsylvania	31,158.00
Pinegrove Landscape Company, Rockville, Maryland	31,466.00
Botts Landscape Service Company, Jarrettsville, Maryland	31,832.00
Paul E. Schlosser, Silver Spring, Maryland	35,060.00
Buena Vista Landscaping Company, Cambrills, Maryland	37,583.00
Meadowview Construction Company, Ellicott City, Maryland	37,935.98
J. H. Burton & Sons, Olney Maryland	41,035.98
Glenwood Gardens, Glenwood, Maryland	45,050.75
Cox Nurseries, Silver Spring, Maryland	45,166.00
Menso Excavation Co., Gaithersburg, Maryland	46,355.00

The amount budgeted was \$27,360.00

The staff recommends an award to Potomac Valley Nurseries, Inc., for \$20,849.48.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, Bid No. 37-82, was awarded to Potomac Valley Nurseries in the amount of \$20,879.48.

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Re: Adoption of Ordinance: To
Grant Street Closing Application
SCA-38-81, Red Gate Industrial
Park

Ordinance No. 10-82

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 10-82, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council granting Street Closing Application, SCA-38-81, Red Gate Industrial Park, was adopted by the Mayor and Council.

Re: Approval of Rockville Municipal
Swim Club fees for 1982-1983

The FY 1983 budget for the Rockville Municipal Swim Center proposes an expenditure of \$434,048, including debt service (depreciation of assets plus bond interest), and projects revenues at \$445,000. This expenditure proposal represents a 2.6 percent increase in expenditures as compared to FY 1982. In order to offset this expenditure increase for FY 1983, and to ensure that FY 1982 revenues are sufficient to match current-year expenditures, the staff recommends an 8.5 percent increase in membership fees, coupled with increases in the fees charged for program participation. FY 1983 revenue projections are based on an anticipated 8.0 percent membership fee increase in April, 1983, (FY 1984 fees). Current Swim Center fees are below those charged at competing, area facilities, and remain competitive with the proposed increase.

On motion of Councilman Tyner, duly seconded and unanimously passed, the Council approved the staff recommendation of a raise of 8.5 percent in membership fees at the Rockville Municipal Swim Club.

Re: Approval of Red Gate Golf Course
rates for 1982-1983

In order to keep pace with anticipated FY 83 budget requirements, staff recommends a basic \$.25/9 holes increase in the golf rates.

The Montgomery County M-NCPPC and the Revenue Authority Course have raised their rates effective March 1, 1982, by \$.25/9 holes.

Councilwoman Fordham asked how much of a raise in rates would be necessary to make the golf course self-supporting. Mr. Olson explained that raising the rates cuts down on the number of rounds that are played so it does not in fact bring in more income. Councilwoman Fordham suggested that the staff still work to make the golf course self-supporting and continue to look into charging an

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additional fee for non-residential use. Identification can be done quite easily with a drivers license. Councilman Freeland noted that Montgomery County will not include debt service in its fee structure. It would be a good thing for the City to continue asking them to do so. If that were accomplished, it would be necessary for them to raise their rates and ours could be raised accordingly. Mayor Hanna agreed. He said the pool is self-supporting but our price must be limited in golf since their courses are subsidized. He cautioned that the County's action should be monitored closely in placing pools in the area since their subsidized pool could charge less than ours and jeopardize the self-supporting posture of the Municipal Swim Center.

Councilman Freeland moved, duly seconded and unanimously passed that the rates be increased at the golf course by \$.25 for nine holes.

Re: Approval of Cable Television
agreement with Montgomery
County

Mayor Hanna congratulated the Council on its persistence. He said that today he signed an agreement with the County Executive on a cable television cooperative agreement that will provide for a headquarters in Rockville, for people not being disallowed from service, for a three year review, and the inclusion that as the City expands so does the system.

Ordinance No. 11-82

On motion of Councilman Abrams, there was introduced upon the table an ordinance repealing Chapter 16 entitled "Cable Television Ordinance" and enacting in its place a new Chapter 16 entitled "Cable Communications".

On motion of Councilman Abrams, duly seconded and unanimously passed, the Council agreed to waive the lay over and publication requirements of the ordinance.

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 11-82, the full text of which can be found in Ordinance Book No. 10 enacting a new Chapter 16 entitled "Cable Communications" was adopted by the Mayor and Council.

On motion of Councilman Tyner, duly seconded and unanimously passed, the agreement with Montgomery County on Cable Television was approved and the Mayor given authorization to sign it.

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Re: Instructions to staff re
recommendations of task force
on political signs

A task force was formed to address uniformity of political signs throughout the area. Councilwoman Ruth Spector of Montgomery County, Councilwoman Gertrude Kildee of Gaithersburg and Councilman Steve Abrams of Rockville were on the task force. Several recommendations have been forwarded to the Mayor and Council for their review. It concerns the number of signs allowed, setback requirements, bonds permits, the removal of signs, illumination, height limit, etc. The Council approved the recommendations including Councilman Abram's issue on permits and asked that the City Attorney's office begin drafting ordinance changes in the form of text amendments. Councilman Abrams noted that his point on permits is good from an enforcement standpoint.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Steve Fisher, Rockville Civic Federation President. Mr. Fisher said that he, along with Mr. Vitol and Mr. Curtis, has worked out some new questions on the Town Center Plan and they will be submitted to the staff prior to the March 29 meeting.

2. Joanne Mazzetta, member of the Human Rights Commission. Ms. Mazzetta thanked the Mayor and Council for the appointments made this evening, particularly the Chairmanship of Mr. Pyle, who is a minority member. She read a letter addressed to the former chairman of the Human Rights Commission, questioning his participation in the past.

3. Bernard Gaunt. Mr. Gaunt reported to the Council on a bus trip of Seniors to Luray Cabins that ran out of propane gas and had a flat tire. He asked that the City plan ahead so that a propane fuel bus is not used in the future unless provision has been made for getting additional fuel for the return trip.

4. Viola Hovespian, 2 Tweed Court. Ms. Hovespian brought to the Council's attention, a problem that arose today when a citizen attempted to get a listing of representatives from a staff person. She also pointed out that the Spot Light Senior Newsletter was not available in City Hall as it should be. Mr. Gaunt suggested that it be left at the library. Mr. Blick said he would have staff check into distribution. (At this time, Mayor Hanna left the meeting and Councilman Abrams assumed the Chair.)

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There being no other person wishing to address the Mayor and Council, the Mayor closed the citizen's forum portion of the meeting.

Re: New Business

1. Councilman Freeland asked if the City Attorney and the City Manager could work together on a change of venue for the legal proceedings at the Rockville Mall and bring back a time table to the Council. (At this time Councilman Tyner left the meeting.)

Re: Information Items

The Mayor and Council noted the following items of information

1. Copy of correspondence re SB661
2. Memo re City expenditures on Town Center Development
3. Memo re State reimbursement for energy audits
4. News release on revenue sharing

Councilwoman Fordham noted the meetings on Revenue Sharing are almost completed and there are only small items left to be worked out. She does expect an additional attendant/aide at the Rockville Housing Authority to be available as a result of the meeting.

5. Article on Rockville from New Settler's Guide
6. Memo re Treatment Center
7. Memo re 1981 Thanksgiving and Christmas projects
8. City Testimony on HBL367
9. Recreation Department's Current project list
10. Memo from CDHA re Maryvale School

Councilwoman Fordham agreed to proceed with the condemnation. Council agreed.

11. City Manager's Policy re Municipal Election Issues
12. Forehand testimony on HBL569
13. Copy of Mayor's letter to County Executive re Gude Landfill
14. Report on neighborhood problems associated with Montgomery College

Councilman Freeland said this requires a thorough staff response on the College and the parking situation. He would like to see this reviewed by the Mayor and Council before any future action takes place there.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the meeting was adjourned at 8:45 p.m. to convene again in general session on Monday, March 22, 1982, at 8:00 p.m. or at the call of the Mayor.